



Rep. Jim Sacia

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LRB097 02861 KTG 52232 a

1 AMENDMENT TO HOUSE BILL 11

2 AMENDMENT NO. _____. Amend House Bill 11 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Illinois Public Aid Code is amended by
5 changing Section 4-1 and adding Section 4-1.13 as follows:

6 (305 ILCS 5/4-1) (from Ch. 23, par. 4-1)

7 Sec. 4-1. Eligibility requirements. Financial aid in
8 meeting basic maintenance requirements for a livelihood
9 compatible with health and well-being shall be given under this
10 Article to or in behalf of families with dependent children who
11 meet the eligibility conditions of the following Sections
12 preceding Section 4-2 ~~Sections 4-1.1 through 4-1.11~~. It shall
13 be the policy of the Illinois Department to provide aid under
14 this Article to all qualified persons who seek assistance and
15 to conduct outreach efforts to educate the public about the
16 program. The Department shall provide timely, accurate, and

1 fair service to all applicants for assistance. Persons who meet
2 the eligibility criteria authorized under this Article shall be
3 treated equally, provided that nothing in this Article shall be
4 construed to create an entitlement to a particular grant or
5 service level or to aid in amounts not authorized under this
6 Code, nor construed to limit the authority of the General
7 Assembly to change the eligibility requirements or provisions
8 respecting assistance amounts. The General Assembly recognizes
9 that the need for aid will fluctuate with the economic
10 situation in Illinois and that at times the number of people
11 receiving aid under this Article will increase.

12 The Illinois Department shall advise every applicant for
13 and recipient of aid under this Article of (i) the requirement
14 that all recipients move toward self-sufficiency and (ii) the
15 value and benefits of employment. As a condition of eligibility
16 for that aid, every person who applies for aid under this
17 Article on or after the effective date of this amendatory Act
18 of 1995 shall prepare and submit, as part of the application or
19 subsequent redetermination, a personal plan for achieving
20 employment and self-sufficiency. The plan shall incorporate
21 the individualized assessment and employability plan set out in
22 subsections (d), (f), and (g) of Section 9A-8. The plan may be
23 amended as the recipient's needs change. The assessment process
24 to develop the plan shall include questions that screen for
25 domestic violence issues and steps needed to address these
26 issues may be part of the plan. If the individual indicates

1 that he or she is a victim of domestic violence, he or she may
2 also be referred to an available domestic violence program.
3 Failure of the client to follow through on the personal plan
4 for employment and self-sufficiency may be a basis for sanction
5 under Section 4-21.

6 (Source: P.A. 96-866, eff. 7-1-10.)

7 (305 ILCS 5/4-1.13 new)

8 Sec. 4-1.13. Drug screening and testing; continued
9 eligibility. The Department shall develop a program to screen
10 and test each applicant or recipient who is otherwise eligible
11 for benefits under this Article and who the Department has
12 reasonable suspicion to believe, based on the screening,
13 engages in the unlawful use or consumption of controlled
14 substances. In implementing the provisions of this Section the
15 Department shall not discriminate against any applicant or
16 recipient on the basis of race or ethnicity.

17 Any applicant or recipient who is found to have tested
18 positive for the unlawful use or consumption of a controlled
19 substance, which was not prescribed for such applicant or
20 recipient by a licensed health care provider, shall, after an
21 administrative hearing conducted by the Department, be
22 declared ineligible for benefits under this Article for a
23 period of one year from the date of the administrative hearing
24 decision.

25 The Department shall have the authority to require, if it

1 so chooses, an applicant or recipient who tested positive for
2 the unlawful use or consumption of a controlled substance which
3 was not prescribed for such applicant or recipient by a
4 licensed health care provider to enter a substance abuse
5 program approved by the Department as a condition of continued
6 eligibility for benefits under this Article.

7 In accordance with the rules and regulations of the
8 Department, other members of a household which includes a
9 person who has been declared ineligible for benefits under this
10 Section shall, if otherwise eligible, continue to receive
11 benefits as protective or vendor payments to a third-party
12 payee for the benefit of the members of the household.

13 The Department shall have the authority to promulgate any
14 rules necessary to implement this Section.

15 Section 99. Effective date. This Act takes effect upon
16 becoming law."